

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Owen et al.
Appln. No.: 10/618,495
Confirm. No.: 5399
Filed: July 11, 2003
Title: SYSTEM AND METHOD FOR A VIRTUAL
CONTENT REPOSITORY

PATENT APPLICATION

Art Unit: 2161
Examiner: Kim, Paul
Docket No. BEAS-01363US0
Customer No. 23910

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REMARKS

These Remarks are in reply to the Notice of Non-Compliant Amendment mailed January 11, 2007. This current Amendment was filed October 16, 2006 in response to a Final Office Action.

I. Notice of Non-Compliant Amendment

The Notice states that Applicant, on pages 2 and 12 of the current Amendment requested that claim 9-14, 17-22, 33-38, 41-46, 50-52, 55, 61 and 63-66 be cancelled. Applicant respectfully submits that this is correct. The Notice also states that in the listing of claims, Applicant marked claims 7-48 as cancelled. Applicant respectfully submits that this is also correct. The Notice states that a proper presentation of claims which are pending and present for examination is required. Applicant respectfully submits that the claims in the current Amendment were properly presented.

Claims 1-6, 9-14, 17-22, 33-38, 41-46 and 49-66 were pending in the Application prior to the outstanding Final Office Action as claims 7-8, 15-16, 23-32, 39-40, and 47-48 were previously cancelled in the Amendment filed January 18, 2006. In the current Amendment, Applicant on pages 2 and 12 cancelled claims 9-14, 17-22, 33-38, 41-46, 50-52, 55, 61 and 63-

66. Thus the full set of claims cancelled are 7-8, 9-14, 15-16, 17-22, 23-32, 33-38, 39-40, 41-46, 47-48, 50-52, 55, 61 and 63-66. This set of claims can also be listed as 7-48, 50-52, 55, 61, and 63-66.

In the remarks section of the current Amendment, under "III. Claims rejected under 35 U.S.C. §102(e)" beginning on page 12, Applicant's discussion of claims, including cancelled claims, followed the order of claims as discussed in the Office Action. The following accounts for all rejected claims under §102(e) that were cancelled. Claim 9 was discussed as cancelled on page 14. Claims 11, 19, 35, 43 and 64 were discussed as cancelled on page 15. Claims 17, 33 and 41 were discussed as cancelled on page 15. Claims 12, 20, 36, 44, 50-52, 55, 61 and 65 were discussed as cancelled on page 15. Claims rejected under §102(e) that were not discussed as cancelled were properly addressed. These properly addressed claims were 1, 3-4, 49, 53-54, 57-58 and 62. Thus, all claims rejected under 35 U.S.C. §102(e) were either properly addressed or discussed as cancelled.

Because claims 7-48, 50-52, 55, 61, and 63-66 were properly presented as cancelled in the claims of the current Amendment, Applicant respectfully submits that the current Amendment without corrections complies with 37 C.F.R. §1.121.

II. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration of the claims is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if she can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: January 26, 2007

By: /Julie Daniels Missud/

Julie Daniels Missud
Reg. No. 51,330

FLIESLER MEYER LLP
650 California Street, 14th Floor
San Francisco, California 94108
Telephone: (415) 362-3800
Customer No. 23910